

State of California
 State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
 Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

AMENDED

APPLICATION TO APPROPRIATE WATER

AMENDED APPLICATION A031496 Rec'd 8/10/2004
 APPLICATION No. _____ (Leave Blank)

1. APPLICANT

Redwood Valley County Water District (707) 485- 0679
 (Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)
P.O. Box 399 Redwood Valley California 95470
 (Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is West Fork Russian River
 (If unnamed, state that it is an unnamed stream, spring, etc.)
 tributary to main stem Russian River thence to the Pacific Ocean
 b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒
 If yes, during what months is it usually dry? From N/A to N/A
 What alternate sources are available to your project should a portion of your requested direct diversion season
 be excluded because of a dry stream or nonavailability of water? None

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of mendocino
 and within Assessor's Parcel Number (APN #) See Attachment #1
 b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
<u>See Attachment #2</u>	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES ☐ NO ☒
 d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: See Attachment #3

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".
 Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

8/10/04
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4. PURPOSE of USE, AMOUNT and SEASON

- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT		COLLECTION SEASON
	RATE (Cubic foot per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
FROST PROTECTION	50 CFS	500 AF	3-15	5-15			
		500 AF					

- b. Total combined amount taken by direct diversion and storage during any one year will be 500 acre-feet.

5. JUSTIFICATION of AMOUNT

- a. IRRIGATION: Maximum area to be irrigated in any one year is N/A acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
N/A	N/A	N/A	N/A	N/A	N/A

- b. DOMESTIC: Number of residences to be served is N/A. Separately owned? YES ☐ N/A NO ☐ N/A
 Total number of people to be served is N/A. Estimated daily use per person is N/A
 Total area of domestic lawns and gardens is N/A square feet. (Gallons per day)
 Incidental domestic uses are N/A
 (Dust control area, number and kind of domestic animals, etc.)

- c. STOCKWATERING: Kind of stock N/A Maximum number N/A
 Describe type of operation: N/A
 (Feed lot, dairy, range, etc.)

- d. RECREATIONAL: Type of recreation: Fishing ☐ N/A Swimming ☐ N/A Boating ☐ N/A Other ☐ N/A

- e. MUNICIPAL: (Estimated projected use) N/A

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present	N/A	N/A	N/A	N/A	N/A	N/A

Month of maximum use during year is August. Month of minimum use during year is JAN.

- f. HEAT CONTROL: The total area to be heat protected is N/A net acres.
 Type of crop protected is N/A
 Rate at which water is applied to use is N/A gpm per acre.
 The heat protection season will begin about N/A (Date) and end about N/A (Date)
- g. FROST PROTECTION: The total area to be frost protected is 3000 net acres.
 Type of crop protected is GRAPES
 Rate at which water is applied to use is 55 gpm per acre.
 The frost protection season will begin about MAR 15 (Date) and end about MAY 15 (Date)
- h. INDUSTRIAL: Type of industry is N/A
 Basis for determination of amount of water needed is N/A
- i. MINING: The name of the claim is N/A Patented ☒ Unpatented ☒
 The nature of the mine is N/A Mineral to be mined is _____
 Type of milling or processing is N/A
 After use, the water will be discharged into N/A
 in N/A 1/4 of N/A 1/4 of Section N/A, T N/A, R N/A, N/A B. & M.
 (40-acre subdivision) (Name of stream)
- j. POWER: The total fall to be utilized is N/A feet. The maximum amount of water to be used through the penstock is N/A cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is N/A. Electrical capacity is N/A kilowatts at N/A % efficiency.
 (Cubic feet per second x fall ÷ 8.8) (Hp x 0.746 ÷ efficiency)
 After use, the water will be discharged into N/A
 in N/A 1/4 of N/A 1/4 of Section N/A, T N/A, R N/A, N/A B. & M. FERC No. N/A
 (40-acre subdivision) (Name of stream)
- k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☒ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.
- l. OTHER: Describe use: N/A Basis for determination of amount of water needed is N/A

6. PLACE OF USE

- a. Does applicant own the land where the water will be used? YES ☐ NO ☒ Is land in joint YES ☐ NO ☒
 (All joint owners should include their names as applicants and sign the application.) ownership?

If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. All landowners are in the Redwood Valley County Water Dist. service boundaries & have an agreement to provide water.

b. USE IS WITHIN (40-ACRE SUBDIVISION) <u>See Attachment #4</u>	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						
1/4 of 1/4						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

- a. Diversion will be by gravity by means of N/A
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from Sump, offset well Pump discharge rate 50 Horsepower 500
(Depth of the well 100') (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)
- c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
<u>pipe</u>	<u>metal/plastic</u>	<u>10"</u>	<u>100'</u>	<u>200</u>	<u>+</u>	<u>500</u>

- d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

- e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be N/A cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

8. COMPLETION SCHEDULE

- a. Year work will start 2005 b. Year work will be completed 2008
c. Year water will be used to the full extent intended 2009 d. If completed, year of first use 2008

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Redwood Valley, CA 95470
Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☐ NO ☒
If yes, state name of the subdivision N/A
If no, is subdivision of these lands contemplated? YES ☐ NO ☒
Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, when? Meters already in
- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: REFER to STATE WATER RIGHTS RECORDS/LIST
- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain N/A

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☐ NO ☒
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
N/A	N/A	N/A	N/A	N/A	N/A

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

DALLAS MILLER (Name of agent) (707) 462-4645 (Telephone number of agent between 8 a.m. and 5 p.m.)
P.O. BOX 275 (Mailing address) UKIAH (City or town) CA (State) 95482 (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated August 6 2008 at Dallas R. Miller, California

Ms. Mr.
Miss. Mrs.

(Signature of applicant)

(If there is more than one owner of the project,
please indicate their relationship.)

Ms. Mr.
Miss. Mrs.

(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

NOTE:

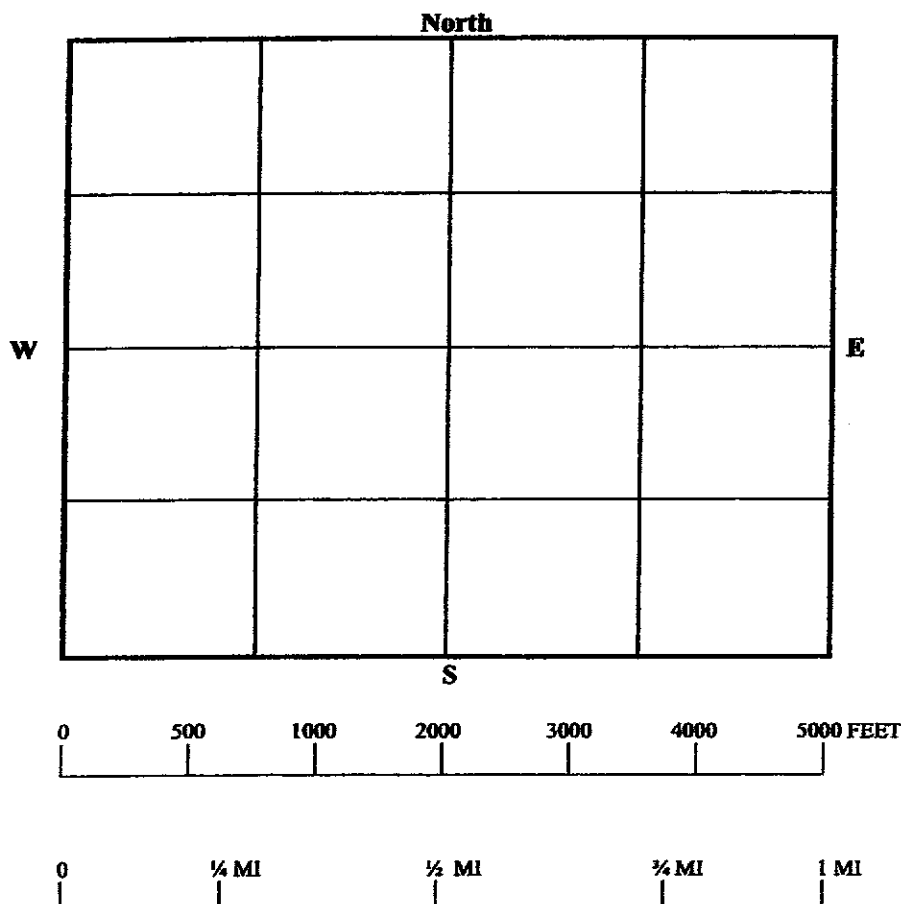
If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

13. **MAP**

See Attachment #5 - Project map

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP _____ RANGE _____, _____ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. **SUPPLEMENTAL INFORMATION**

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

WEST FORK RUSSIAN RIVER
Application # 31496

Attachment # 1
Application item # 3 a

3a. Point of Diversion will be in the county of _____ and APN'S

POD #1
Parcel # 16004022
County of Mendocino

POD #2
Parcel # 16112005
County of Mendocino

POD #3
Parcel #16517001
County of Mendocino

WEST FORK RUSSIAN RIVER
Application #31496

8/13/04
Attachment #2
Application Item 3b

POD No.	Latitude (NAD 83)	Longitude (NAD 83)	Bearing & Distance From	Section	Township	Range	Base & Meridian
#1	39°18'46"N	123°13'03"W	N 44° E 2900 Ft. (SW corner Section 20)	NE X SW section 20 (projected)	17N	12W	MDBD
#2	39°17'12"N	123°12'36"W	N 47° E 5100 Ft (SW corner section 32)	SE X NE section 32 (projected)	17N	12W	MDBM
#3	39°14'44"N	123°12'10"W	S 75° E 6500 Ft (NW corner section 17)	SW X NW section 16 (projected)	16N	12W	MDBM

WEST FORK RUSSIAN RIVER
Application # 31496

Attachment # 3
Application item # 3 d

3d. Point of Diversion Land Owners & Address

POD #1
Parcel # 16004022
Light, Rudolph & Linda
P.O. Box 736
Redwood Valley, Ca 95470

POD #2
Parcel # 16112005
Judith Butler
2321 Rancheria Rd.
Redwood Valley, Ca 95470

POD #3
Parcel #16517001
H&W Vineyards LLC
6660 Cust Rd.
Redwood Valley, Ca 95470

All landowners have been contacted by Redwood Valley County Water District. Negotiations are in progress for right of way access and use of their property

WEST FORK RUSSIAN RIVER-FROST PROTECTION
ATTACHMENT # 4-APPLICATION 31496

Attachment # 4

For application Item #6 b

Place of Use: Refer to the Project map

The Redwood Valley County Water District is shown on the Project Map and also listed as Place of Use for this application. And, the District service area and the District Boundary is outlined in a distinct color. The Project Map is printed on a USGS 7.5 Minute Quadrangle Map.

The Township and Range for the Water District is shown on the Project Map and listed on the application as:

	Township	Range	Base Meridian
Redwood Valley County Water District	17N	13W	MDBM
	16N	12W	MDBM

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**APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION**

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31496

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

The West Fork Russian River Frost Protection project will utilize
Winter Flows by developing two diversion points with off-stream wells
that will be direct diverted into the District's agriculture supply
pipeline for Frost Protection during the winter/spring season.
Well and pump station will be built at the diversion site,
with appropriate sized pump, valves, and plumbing to
connect to District's Agriculture line.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted Woody Hudson, Steve Sandeci Date of contact 5/27/03
Department Mendo City Planning + Bldg. Telephone (707) 463-4281
- b. Assessor's Parcel No. 16004022, 16112005, 16517001
- c. County Zoning Designation Public Facilities
- d. Are any county permits required for your project? _____
If yes, check appropriate space below:
☒ Grading Permit, _____ Use Permit, _____ Watercourse
Obstruction Permit, _____ Change of Zoning, _____ General Plan
Change, Other (explain): _____

- e. Have you obtained any of the required permits described above? NO
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? Yes (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type Appropriative Water Right
Person (s) contacted Whalen Toy Agency SWRCB
Date of contact 8-4-04 Telephone (916) 341-5408

4. Has any public agency prepared an environmental document for any aspect of your project?

NO
If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:

Redwood Valley County Water District (Lead Agency)
to prepare Environmental Document

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? NO

Do you know of any archeological or historic sites located within the general project area?

NO If so, explain: _____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
 - Along the stream channel immediately upstream from the proposed point(s) of diversion
 - At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities

Subalpine Conifer
Red Fir
Lodgepole Pine
Mixed Conifer
 Sierran Mixed Conifer
 White Fir
 Klamath Mixed Conifer
Douglas-Fir
Jeffrey Pine
Ponderosa Pine
Eastside Pine
Redwood
Pinyon-Juniper
Juniper
Aspen
Closed-Cone Pine-Cypress
Montane Hardwood-Conifer
Montane Hardwood
Valley Foothill Hardwood
 Blue Oak Woodland
 Valley Oak Woodland
 Coastal Oak Woodland
Valley Foothill Hardwood-Conifer
 Blue Oak-Digger Pine
Eucalyptus
Montane Riparian
Valley Foothill Riparian ✓
Desert Riparian
Palm Oasis
Joshua Tree

Shrub Dominated Communities

Alpine Dwarf-Shrub
Low Sage
Bitterbrush
Sagebrush
Montane Chaparral
Mixed Chaparral ✓
Chamise-Redshank Chaparral
Coastal Scrub
Desert Succulent Shrub
Desert Wash
Desert Scrub
Alkali Desert Scrub

Herbaceous Dominated Communities

Annual Grassland
Perennial Grassland
Wet Meadow
Fresh Emergent Wetland
Saline Emergent Wetland
Pasture ✓

Aquatic Communities

Riverine ✓
Lacustrine
Estuarine
Marine

Developed Communities

Cropland
Orchard-Vineyard ✓
Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 324-3812).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

Unknown - most likely none

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Please see Attachment

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

PLEASE See ATTACHMENT

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO

If so, explain:

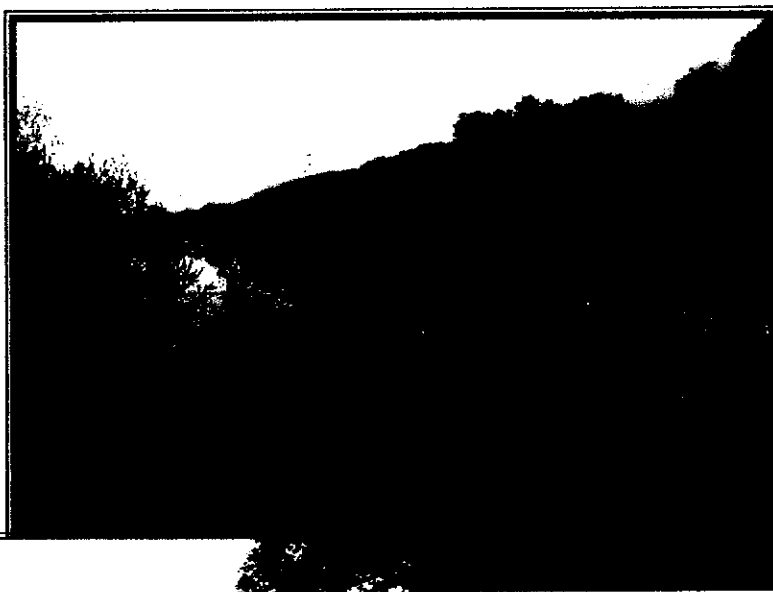
CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date August 6, 2004 Signature Dallas L. Miller

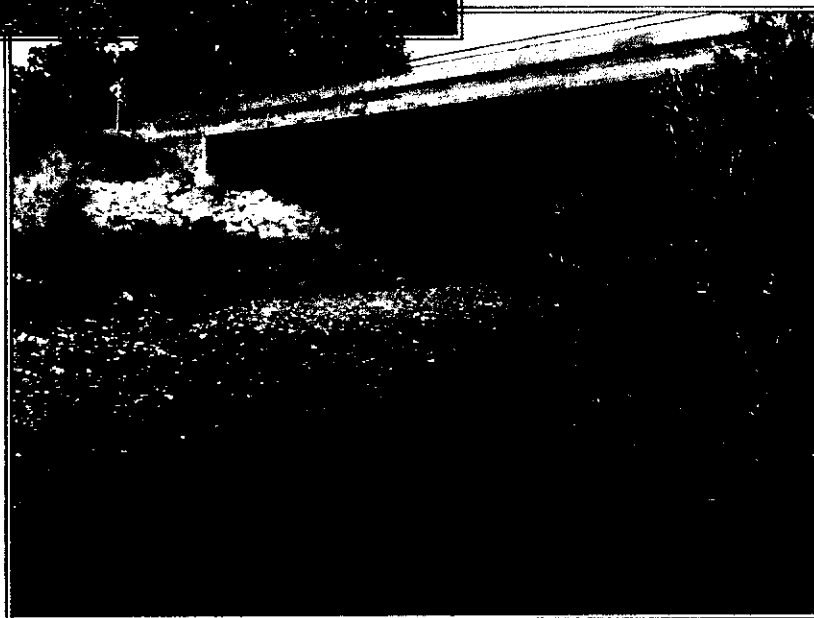
Proposed diversion point One (1) at East Road and the West Fork of the Russian River

**West Fork Russian River
Looking downstream to the
south...**



**Open pasture just
south of the West
Fork of the Russian
River.....**

**West Fork Russian
River Looking
upstream to the
north @ East
Road...**





Looking upstream – diversion point # 3



Looking down stream – diversion point # 3



Diversion point # 3– East side of the river



Diversion point # 2 - 100 ft. on West stream bank

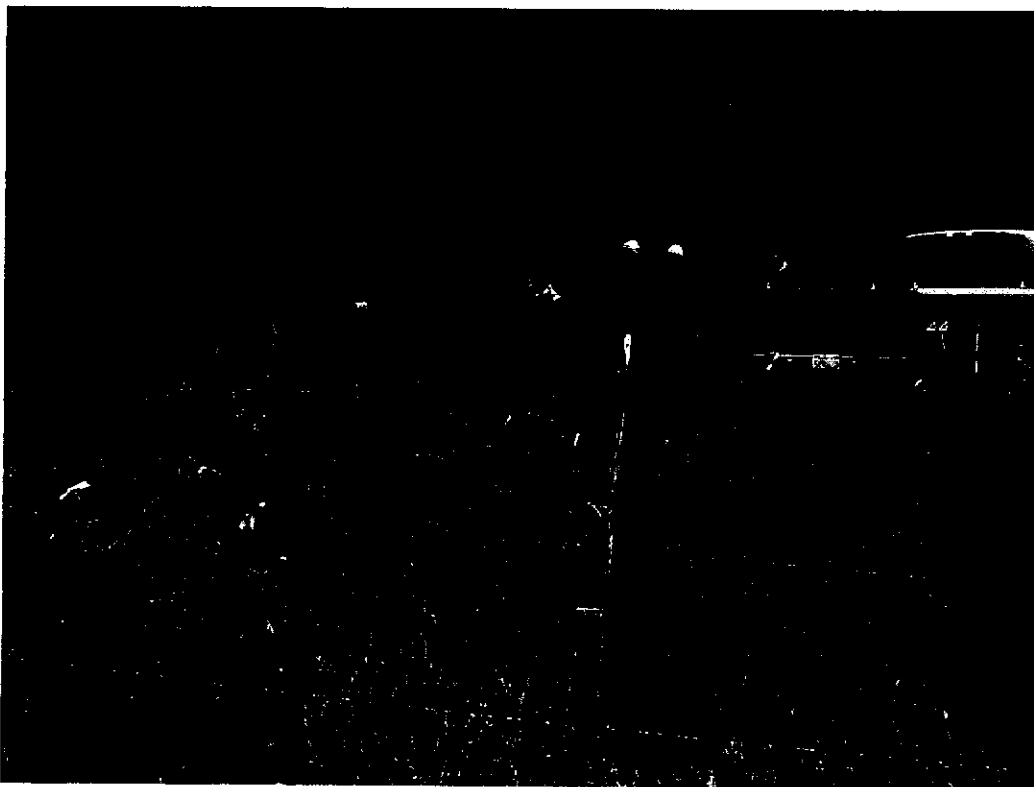


Looking upstream @ diversion point # 2



Looking downstream @ diversion point # 2

#7-c



Typical Place of Use



Typical Place of Use

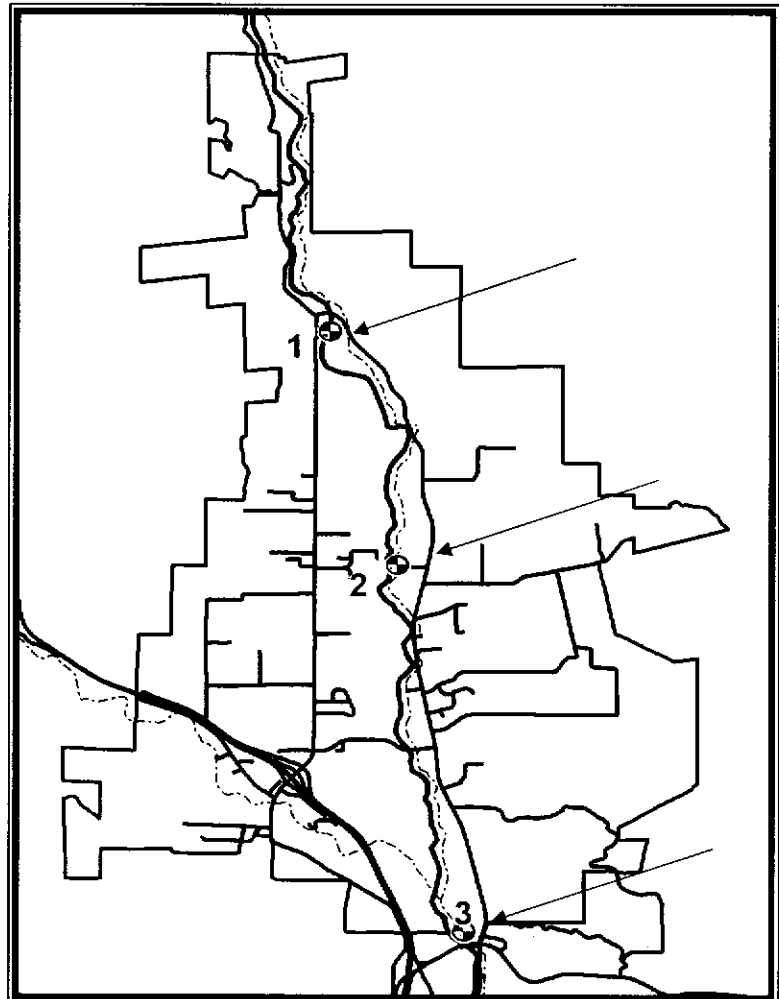
Item 10. / Item 11.

Using the California Wildlife-Habitat Relationships (WHR) System, the general or physical setting, for all three (3) of the proposed diversion sites, falls within an area typed as Urban/Orchard Vineyard and VOW (Valley Oak Woodland).

Within this urban/ Orchard Vineyard WHR type, the riverine (West Fork Russian River) corridor (where the proposed diversion sites are indicated) could be more accurately typed Valley Foothill Riparian Habitat within which proposed division Sites 1, 2, and 3 occur. The transition from the urban/agriculture WHR type to the adjacent riverine environment is quite abrupt.

Typically, during the fall, winter and spring, the West Fork Russian River (WFRR) flows can become quite high and are able to support several runs of salmon (Chinook) and steelhead. The vegetation along the riparian corridor of the WFRR becomes lush in places and provides habitat for numerous common bird and mammal species.

This habitat provides food, water, and shelter during annual avian migrations and also provides for dispersal habitat of local nesting birds, and browse for land based mammals.



**MAP OF THE WESTFORK RUSSIAN
RIVER POD FOR FROST PROTECTION**

However, as the weather changes and mild spring temperatures are replaced with much warmer summer temperatures, this fork of the Russian River produces flows that become minimal and at times, intermittent, with water temperatures rising into the 70s°-80s° F mark. (Redwood Valley County Water District Fisheries Investigation of the Russian River at Latitude 39° 17' 9" and Longitude 123° 12' 37" by Wildlife Inventory Systems, 1999).

These localized water temperatures can at times exceed optimal and rise beyond the range of tolerance for salmonids.

As the summer temperatures rise, habitat transforms from a lush riparian habitat to a drier habitat with mostly wild blackberries, willows and alders producing the only shade and cover.

Site #1



Site one (Site #1) is located at Latitude 39° 18' 46" N and Longitude 123° 13' 03W. The property Assessor Parcel Number (APN) is 16004022 and is currently owned by Rudolph and Linda Light.

Site #1 property is slightly undulating and slopes gently towards the West Fork of the Russian River. The property was formerly utilized for agriculture and now lays dormant.

Many common species of wildlife utilize these oak woodlands as a source of browse or acorns for food. Probably the most significant breeding bird species were European starling, California quail, plain titmouse, scrub jay, red-shoulder hawks, rufous-sided towhee, and many more (too many to list).



Site #2

Site #2 is located at Latitude 39° 17' 12" N and Longitude 123° 12' 36W, APN 16112005. The current owner of record is Judith Butler, TTEE.

The immediate area surrounding Site #2 of the proposed diversion is mostly rural with some houses on acreage and a small organic nursery/soil enterprise next to the edge of the WFRR riverine habitat near proposed diversion Site #2.

Both the Sites #2 and #3 were visited on May 2, 2003. During this visit the river was flowing strong with significant turbidity (due to suspended fines) and we were unable to observe any fish or amphibian species at this time.



Proposed Diversion Site #2

The general bio-diversity or species richness of the Russian River involves a variety of more common aquatic and terrestrial species. A number of fish species (as well as amphibians) utilize the WFRR. During the summer of 1999 a brief aquatic investigation was conducted by



Proposed Diversion Site #2

WIS assessing about three hundred (300) feet of watercourse area above and below Site #2. The following fish species were directly observed at that time: California Roach (*Hesperoleucas symmetricus*), bluegill (*Lepomis macrochirus*), green sunfish (*Lepomis cyanellus*), Sacramento sucker (*Catostomas occidentalis occidentalis*), Prickly scuplin (*Cottus asper ssp.*) and three spine stickleback (*Gasterosteus aculeatus ssp.*).

'99 survey included Pacific brook lamprey (*Lampetra tridentata pacifica*) and crayfish (*Procamburis sp.*) Also, one species of amphibian, the yellow-legged frog (*Rana boylei*) was observed.

While no salmonids were directly observed, either during the initial site visit of May 2, 2003 or back in August 1999, steelhead (*Oncorhynchus mykiss*) and Chinook salmon (*Oncorhynchus tshawytscha*) are known to utilize this area of the Russian River. Salmonids would most likely use this part of the Russian River during the high flow months from November through March when they would be returning to their natal streams for spawning.



Proposed Diversion Site #2

Local landowners have given anecdotes about the run of steelhead and salmon they have seen for years in the river. One landowner indicated that this year he saw quite a few fish, more so this year than in the past couple of years. He also noted seeing quite a few spawned out carcasses.

Site #3

Site #3 property is located at Latitude 39° 14' 44" N and Longitude 123° 12' 10W with an APN of 16517001. The property is currently owned by H & W Vineyards, LLC.

The fourth proposed point of diversion, Site #3 was also visited on May 2, 2003. The general area surrounding Site #3 consists of a riverine habitat, but is bordered closely by vineyard and fruit tree agriculture.

No fish or amphibians were observed in the areas upstream and downstream of the proposed point of diversion (Site #3), and as indicated previously, the water flowing past Site #3 was turbid and nothing below the first couple of inches of water could be observed.



Proposed Diversion Site #3



Proposed Diversion Site #3

There are many terrestrial and riparian wildlife species which may frequent the area around the proposed diversion sites. Wildlife species such as deer and rabbits may browse on the trees or vines; other wildlife such as ground squirrel and numerous birds may feed on fruits or nuts. Some wildlife (e.g., mourning dove, California quail) are more passive in their use of the habitat for cover and nesting sites.

Terrestrial species such as northern flicker, scrub jay, American crow, plain titmouse, blackbirds, and house finch are common. Other species such as band-tailed pigeons, magpie, western bluebird, American robin, varied thrush, northern mockingbird, cedar waxwing, yellow-rumped warbler, and black-headed grosbeak are among a few birds known to eat orchard crops and vineyard grapes.



Proposed Diversion Site #3

Also various species of migratory birds may use the area during their annual migrations. Mammals which may also be present are desert cotton-tail, western gray squirrel, coyote, black bear, and raccoon.

The habitat as indicated above is varied and changes with the seasons as does its species richness. No determination can be made at this time as to the effect of the proposed diversions on the environment and/or its species until a more definitive project description can be provided (which is in development at this time). As the project is developed a more complete assessment will occur.